

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
)  
The Commission's Rules Regarding the ) MB RM No. 11136  
the Technical Operation of AM Stations )  
in the 1605–1705 kHz Band )  
)  
To: The Commission

***Ex Parte* Reply to Reply Comments of InterMart Broadcasting of Georgia, Inc.,  
Rama Communications, Inc., and  
Multicultural Radio Broadcasting**

1. The firm of Hammett & Edison, Inc., Consulting Engineers, respectfully submits these *ex parte* comments in the above-captioned proceeding. This proceeding is the result of the petition filed in October, 2004, by InterMart Broadcasting of Georgia, Inc., Rama Communications, Inc., and Multicultural Radio Broadcasting (“Petitioners”) to revise technical rules related to AM broadcasting in the Expanded Band. Comments were due February 4, 2005. Reply comments were due February 19, 2005.
2. In their reply comments, the Petitioners are incorrect in their contention that the relief requested is not barred by International Agreements. Service in the expanded band was restricted to a maximum station power of 10 kW throughout Region 2 in the 1988 Rio de Janeiro agreement.\*
3. In addition, the maximum operating power for use by AM stations in the Expanded Band was restricted to 10 kW in both the 1992 “Agreement Between the United States and Mexico for use of the Band 1605–1705 kHz”† and in the “AM Broadcasting Service and the 1997 Interim Working Agreement between the Government of Canada and the Government of United States Relative to the AM Broadcasting Service in the Band 1605–1705.”‡

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\* *Final Acts of the Regional Administrative Radio Conference to Establish a Plan for the Broadcasting Service in the Band 1605–1705 kHz in Region 2, Rio de Janeiro, 1988*, Annex 2, Section 6: “In no case shall the station power of a broadcasting station exceed 10 kW.”

† Annex 2, “Criteria for the Implementation of the Allotment Plan and Assignments.” Chapter 3, “General Provisions,” Section 3.1: “In no case shall the power of a broadcasting station exceed 10 kW.”

‡ Annex 2, “Criteria Used to Determine when the Service of the other Administration are Affected,” Chapter 5, “General Considerations,” Section 5.1: “In no case shall the power of a broadcasting station exceed 10 kW.”



## Petition For Rulemaking: MB RM No. 11136

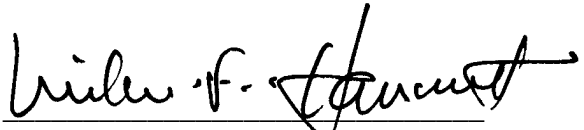
4. The above agreements were recognized by the FCC in the establishment of expanded band operation for U.S. stations as set forth in the Report and Order MM Docket 87-267, "Review of the Technical Assignment Criteria for the AM Broadcast Service."<sup>§</sup>

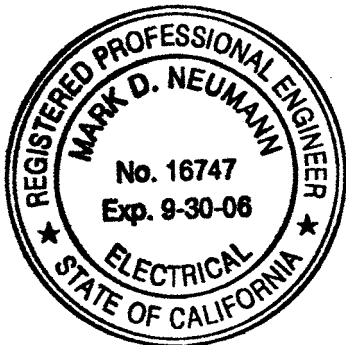
### Summary


5. We continue to support amending the Rules for the 1605–1705 kHz AM Broadcast Band to adopt all Standard Band allocation criteria for protection of daytime and nighttime AM facilities, revised as required for the Expanded Band 10 kW power limits. A power increase to 50 kW in the expanded band, as requested by the petitioners, would require international concurrence, which would unnecessarily delay this much needed change in the AM rules.



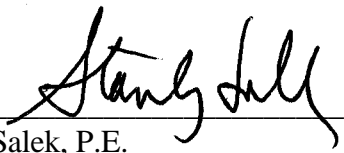
Respectfully submitted,

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By   
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March 2, 2005

<sup>§</sup> Part III, "Technical Standards," Page 9, Footnote 13: "Additionally, nominal Class B stations in the expanded band are limited by international agreement to a maximum power of 10 kW, as opposed to the 50 kW limit for the existing band Class B stations."



## CERTIFICATE OF SERVICE

I, Mark D. Neumann, a professional engineer of Hammett & Edison, Inc., do hereby certify that copies of the foregoing have been sent via first class, U.S. mail, postage prepaid, this 2nd day of March 2005, to the offices of the following:

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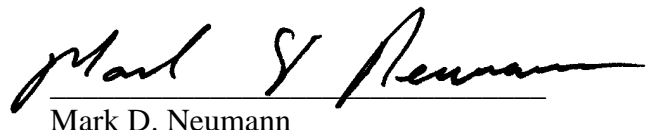
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